

# Court of Appeals, State of Michigan

## ORDER

David Slaggert v Michigan Cardiovascular Institute PC

Docket No. 260776

LC No. 04-052690-NH

Bill Schuette  
Presiding Judge

William C. Whitbeck  
Chief Judge

Stephen L. Borrello  
Judge

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By order entered May 18, 2005, this Court ordered the application for leave to appeal held in abeyance pending resolution of the motion for reconsideration in *Apsey v Memorial Hospital*, \_\_\_ Mich App \_\_\_; \_\_\_ NW2d \_\_\_ (No. 251110, issued 4/19/05). On June 9, 2005, the *Apsey* panel granted reconsideration and issued a published opinion, *Apsey v Memorial Hospital (On Reconsideration)*, \_\_\_ Mich App \_\_\_; \_\_\_ NW2d \_\_\_ (No. 251110, issued 6/9/05), lv pending. We would note that the fact that an application for leave to appeal is pending in the Michigan Supreme Court does not diminish the precedential effect of *Apsey*. MCR 7.215(C)(2). In light of *Apsey*, the application for leave to appeal is again considered and it is DENIED for lack of merit in the grounds presented.

The motion for peremptory reversal is DENIED.

The stay previously ordered by this Court is lifted.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 16 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk